



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/671,875	09/29/2003	Elmar Dörner	13909-114001 / 2003P00657	7314
32864 7590 12/28/2007 FISH & RICHARDSON, P.C. PO BOX 1022 MINNEAPOLIS, MN 55440-1022			EXAMINER BELANI, KISHIN G	
			ART UNIT 2143	PAPER NUMBER
			MAIL DATE 12/28/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/671,875

Applicant(s)

DORNER ET AL.

Examiner

Kishin G. Belani

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 and 14-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 and 14-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

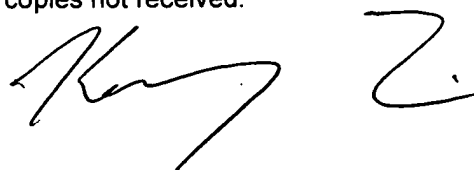
Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This action is in response to Applicant's amendment filed on 10/29/2007.

Independent claims 1, 11, 18 and 28 have been amended by adding new limitations.

Dependent claims 12, 14-17, 23 and 24 have been amended to correct minor informalities. **Dependent claim 13 has been cancelled. Claims 1-12 and 14-33 are now pending** in the present application. The applicants' amendments are shown in **bold and italics**, and the examiner's response to the amendments is shown in **bold** in this office action. **This Action is made FINAL.**

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-12 and 14-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Digate et al. (U.S. Patent Publication # 7,184,524 B2)** in view of **Dayal et al. (US Patent Application Publication # 2004/0054723 A1)** and further in view of **Neely, III et al. (U.S. Patent Publication # 7,184,524 B2)**.

Consider **claim 1**, Digate et al. show and disclose a method comprising:
subscribing to a status for one or more conference system users of a content based messaging (CBM) network (Fig. 3, "Distribute the lifeline" block 47; column 6, lines 45-67 and column 7, lines 1-5 that disclose a contact list (lifeline) named "product_A_tech" of one or more conference system users being formed for providing technical expertise to the members of a sales group; the lifeline being distributed to the members (subscribers to the status of the lifeline members) of the sales group; Fig. 1; column 4, lines 66-67 and column 5, lines 1-11 provide an introductory background to the same

invention; Fig. 9, "If (Condition)" column 174 that discloses use of camera, video, phone, etc. for device availability, thereby indicating content based messaging); receiving messages including the status of the one or more conference system users corresponding to the subscription from the CBM network (column 6, lines 60-65 that disclose status (in the form of lifeline) of the one or more conference system users being distributed to the subscribers of the CBM network; Fig. 8 that shows subscribers (IM clients) receiving messages from IM Servers 160 and 162 and Real-time messaging server 14; and presenting the status of the one or more conference system users (column 6, lines 60-65 which disclose that status (in the form of lifeline) of the one or more conference system users is displayed to the subscribers).

However, Digate et al. do not specifically disclose receiving **a conference data stream and status** messages, **wherein the status messages are received through a first layer of the CBM network and the conference data stream is received through a second layer of the CBM network, further wherein the second layer uses a java media framework to convert multimedia data packets received from the CBM network into the conference data stream.**

In the same field of endeavor, Dayal et al. disclose the claimed method, including receiving **a conference data stream and status** messages, **wherein the status messages are received through a first layer of the CBM network and the conference data stream is received through a second layer of the CBM network** (Fig. 5 that shows two separate layers in the CBM network, one for status

message delivery 510, and the other for content delivery 520; Fig. 7 that lists the steps for executing the claimed method, specifically, step 706 that discloses a separate content delivery channel in use; paragraphs 0019, 0058-0059 further disclose the details of the claimed method).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to receive a conference data stream and status messages, wherein the status messages are received through a first layer of the CBM network and the conference data stream is received through a second layer of the CBM network, as taught by Dayal et al., in the method of Digate et al., in order to reduce the amount of information exchanged during the discovery/delivery phases of the publish/subscribe collaboration.

However, Digate et al., as modified by Dayal et al., do not specifically disclose that ***the second layer uses a java media framework to convert multimedia data packets received from the CBM network into the conference data stream.***

In the same field of endeavor, Neely, III et al. disclose the claimed method, ***further wherein the second layer uses a java media framework to convert multimedia data packets received from the CBM network into the conference data stream*** (Fig. 2 that shows a browser 102 enabled by Java Virtual Machine 103 (JVM) and Java Multimedia Framework 106 (JFM 2.1.1); column 9, lines 35-40 and 56-63 that disclose Java Support Module 106 for rendering various types of media).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use for the content layer a java media framework to convert multimedia data packets received from the CBM network into the conference data stream, as taught by Neely, III et al., in the method of Digate et al., as modified by Dayal et al., in order to provide the multimedia content to the client in appropriate format.

Consider **claim 2**, and **as it applies to claim 1 above**, Digate et al., as modified by Dayal et al. and Neely, III et al., further disclose a method wherein presenting the status includes presenting the status that a user is offline (in Digate et al. reference, column 11, lines 32-37 that disclose the events that can be monitored to determine the presence status of a user (i.e. user is offline), which may then be presented as a displayed list).

Consider **claim 3**, and **as it applies to claim 1 above**, Digate et al., as modified by Dayal et al. and Neely, III et al., further disclose a method wherein presenting the status includes presenting the status that a user is online and not engaged in a conference (in Digate et al. reference, column 11, lines 32-37 that disclose the events that can be monitored to determine the presence status of a user (i.e. user is online), which may then be presented as a displayed list).

Consider **claim 4**, and **as it applies to claim 1 above**, Digate et al., as modified by Dayal et al. and Neely, III et al., further disclose a method wherein presenting the status includes presenting the status that a user is online and engaged in a conference (in Digate et al. reference, column 11, lines 37-42 that disclose additional user actions which imply that a user is online and engaged in a conference, such as making a presentation).

Consider **claim 5**, and **as it applies to claim 1 above**, Digate et al., as modified by Dayal et al. and Neely, III et al., further disclose a method wherein presenting the status includes providing an indication of the status associated with a user identifier in a contact list (in Digate et al. reference, column 6, lines 40-65 that disclose a contact list of users and their status being presented as a list named "product_A_tech" lifeline).

Consider **claim 6**, and **as it applies to claim 5 above**, Digate et al., as modified by Dayal et al. and Neely, III et al., disclose a method further comprising inviting a user to engage in a conference by selecting the user identifier in the contact list (in Digate et al. reference, column 6, lines 65-67 and column 7, lines 1-5 that disclose a contact list user being invited to a conference by a sales person).

Consider **claim 7**, and **as it applies to claim 1 above**, Digate et al., as modified by Dayal et al. and Neely, III et al., show and disclose a method further comprising publishing a user status to the CBM network (in Digate et al. reference, Fig. 3,

"Distribute the lifeline" block 47; column 6, lines 60-65 that disclose a contact list (lifeline) named "product_A_tech" of one or more conference system users being displayed on the CBM network for the benefit of subscribers).

Consider **claim 8**, and **as it applies to claim 7 above**, Digate et al., as modified by Dayal et al. and Neely, III et al., further disclose a method wherein publishing the user status includes publishing that the user is offline (in Digate et al. reference, column 11, lines 32-37 that disclose the events that can be monitored to determine the presence status of a user (i.e. user is offline), which may then be published as a lifeline list).

Consider **claim 9**, and **as it applies to claim 7 above**, Digate et al., as modified by Dayal et al. and Neely, III et al., further disclose a method wherein publishing the user status includes publishing that the user is online and not engaged in a conference (in Digate et al. reference, column 11, lines 32-37 that disclose the events that can be monitored to determine the presence status of a user (i.e. user is online), which may then be presented as a displayed list).

Consider **claim 10**, and **as it applies to claim 7 above**, Digate et al., as modified by Dayal et al. and Neely, III et al., further disclose a method wherein presenting the status includes presenting the status that a user is online and engaged in a conference (in Digate et al. reference, column 11, lines 37-42 that disclose additional

user actions which imply that a user is online and engaged in a conference, such as making a presentation).

Consider **claim 11**, Digate et al. show and disclose a content based message network (System of Fig. 1 and various IM servers of Fig. 8 that provide content based messages, e.g. in Yahoo IM services) comprising:

A first layer ~~an interface~~ to receive subscriptions to a status for one or more conference system users of the content based messaging (CBM) network ~~and to receive published information including the status of the one or more conference system users (Fig. 7,~~ arrow marked "Presence & Request 116" that shows an interface to receive subscriptions to a status for one or more conference system users of the content based messaging (CBM) network, and arrow marked "Actions 114" to receive published information including the status of the one or more conference system users; column 9, lines 42-56 disclose the same details);

to compute the subscriptions, generate status messages, and send the messages to client devices corresponding to the computed subscriptions (Fig.2, "Rules Engine 30"; column 5, lines 35-76; and Fig. 7, "Rules Engine 100"; column 9, lines 42-56 that describe the processor functions claimed above); and
an output to deliver the ***status messages and the processed conference data stream to a user interface*** (Fig. 1, Real-time messaging server 14, communication server 18, and network 20 that together provide output to the clients; column 3, lines 53-65 that disclose the same details).

However, Digate et al. do not specifically disclose receiving **a conference data stream and status** messages, **wherein the status messages are received through a first layer of the CBM network and the conference data stream is received through a second layer of the CBM network, further wherein a second layer to receive a conference data stream for one or more conferences from one or more conference system users, process the received conference data stream by converting the conference data stream into multimedia data packets using a Java Media Framework, publish the multimedia data packets to the CBM network, receive multimedia data packets from the CBM network, convert the received multimedia data packets into a conference data stream, and send the conference data stream to one or more conference system users.**

In the same field of endeavor, Dayal et al. disclose the claimed content based message network, including receiving **a conference data stream and status** messages, **wherein the status messages are received through a first layer of the CBM network and the conference data stream is received through a second layer of the CBM network** (Fig. 5 that shows two separate layers in the CBM network, one for status message delivery 510, and the other for content delivery 520; Fig. 7 that lists the steps for executing the claimed method, specifically, step 706 that discloses a separate content delivery channel in use; paragraphs 0019, 0058-0059 further disclose the details of the claimed content based message network).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to receive a conference data stream and status

messages, wherein the status messages are received through a first layer of the CBM network and the conference data stream is received through a second layer of the CBM network, as taught by Dayal et al., in the content based message network of Digate et al., in order to reduce the amount of information exchanged during the discovery/delivery phases of the publish/subscribe collaboration.

However, Digate et al., as modified by Dayal et al., do not specifically disclose that ***a second layer to receive a conference data stream for one or more conferences from one or more conference system users, process the received conference data stream by converting the conference data stream into multimedia data packets using a Java Media Framework, publish the multimedia data packets to the CBM network, receive multimedia data packets from the CBM network, convert the received multimedia data packets into a conference data stream, and send the conference data stream to one or more conference system users.***

In the same field of endeavor, Neely, III et al. disclose the claimed content based message network, ***wherein a second layer to receive a conference data stream for one or more conferences from one or more conference system users, process the received conference data stream by converting the conference data stream into multimedia data packets using a Java Media Framework, publish the multimedia data packets to the CBM network, receive multimedia data packets from the CBM network, convert the received multimedia data packets into a conference data stream, and send the conference data stream to one or more conference system***

Art Unit: 2143

users (Fig. 1 that shows a distributed collaborative interaction system 10 that includes a plurality of data sources 20a-20m (publishers that wish to publish conference data stream as multimedia data packets using a plurality of modality transformation services 64a-64n that act as CBM services providers); the system 10 also includes a plurality of data sinks (clients that wish to subscribe to the conference data streams, receiving such data from the modality transformation services 64a-64n; column 6, lines 35-40, lines 64-67 and column 7, lines 1-3 disclose the same details; Fig. 2 that shows a plurality of transformation server computing platforms 114a-114n; column 9 lines 8-67 and column 10, lines 1-11 which disclose that the modality transformation services within the transformation servers 114 convert one stream of data to another using Java Virtual Machine 103 (JVM) and Java Multimedia Framework 106 (JFM 2.1.1)).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide a second layer to receive a conference data stream for one or more conferences from one or more conference system users, process the received conference data stream by converting the conference data stream into multimedia data packets using a Java Media Framework, publish the multimedia data packets to the CBM network, receive multimedia data packets from the CBM network, convert the received multimedia data packets into a conference data stream, and send the conference data stream to one or more conference system users, as taught by Neely, III et al., in the content based message network of Digate et al., as

modified by Dayal et al., in order to provide appropriate services for transforming conference data streams, both for the publishers and subscribers.

Consider **claim 12**, and **as it applies to claim 11 above**, Digate et al., as modified by Dayal et al. and Neely, III et al., further disclose a **system network** wherein the status indicates that a user is offline, online and not engaged in a conference, or online and engaged in a conference (in Digate et al. reference, column 11, lines 32-42 that disclose the events that can be monitored to determine the presence status of a user i.e. user is offline, online, or online and engaged in a conference (making a presentation)).

Consider **claim 14**, and **as it applies to claim 13 above**, Digate et al., as modified by Dayal et al. and Neely, III et al., further disclose a **system network** wherein the user interface is configured to generate a contact list, the contact list providing an indication of the status associated with a user identifier based on the **received** delivered status messages (column 6, lines 40-65 that disclose a contact list of users and their status being presented as a list named "product_A_tech" lifeline).

Consider **claim 15**, and **as it applies to claim 13 above**, Digate et al., as modified by Dayal et al. and Neely, III et al., further show and disclose a **system network** wherein the user interface is configured to invite a user to engage in a conference by selecting the user identifier in the contact list (Fig. 4, step 58; column 8,

lines 27-34 that disclose inviting a user to engage in a conference by selecting the user identifier in the contact list).

Consider **claim 16**, and **as it applies to claim 13 above**, Digate et al., as modified by Dayal et al. and Neely, III et al., further show and disclose a **system network** wherein the user interface is configured to publish a user status to the **CBM network first layer** (Fig. 3, step 47; column 6, lines 64-67 and column 7 line 1, that disclose publishing a user status (lifeline) to the CBM network).

Consider **claim 17**, and **as it applies to claim 16 above**, Digate et al., as modified by Dayal et al. and Neely, III et al., further disclose a **system network** wherein the user status indicates that the user is offline, online and not engaged in a conference, or online and engaged in a conference (column 11, lines 32-42 that disclose the events that can be monitored to determine the presence status of a user, i.e. user is offline, online, or online and engaged in a conference (making a presentation)).

Consider **claim 18**, Digate et al. show and disclose a client device, comprising: an interface to receive **status** messages from a content based messages (CBM) network, **the status messages** including a status of one or more conference system users (Fig. 2, Real-Time Messaging Server 14 that provides an interface to receive messages from IM Clients 150 and 152, **including a status of one or more conference system users**; column 5, lines 47-67 that disclose the same details);

a processor to subscribe to the status messages and process the status messages for presentation (Fig. 2, Rules Engine 30 that receives and updates Ephemeral Condition Data Cache 38, Event Notification 36, and Persistent Database 15 to subscribe to the status messages and process the status messages for presentation (shown as actions 40)); and

an interface to present the status of the one or more conference system users (Fig. 1, communication server 18 and network 20 that provide an interface to present the status of the one or more conference system users; column 3, lines 53-65 that disclose the same details).

However, Digate et al. do not specifically disclose that ***the status messages are received through a first layer of the CBM network, and a conference data stream is received from the CBM network through a second layer of the CBM network, wherein the second layer uses a java media framework to convert multimedia data packets received from the CBM network into the conference data stream; and a processor and an interface to process conference data streams.***

In the same field of endeavor, Dayal et al. disclose the claimed client device, including receiving ***a conference data stream and status messages, wherein the status messages are received through a first layer of the CBM network and the conference data stream is received through a second layer of the CBM network*** (Fig. 5 that shows two separate layers in the CBM network, one for status message delivery 510, and the other for content delivery 520; Fig. 7 that lists the steps for executing the claimed method, specifically, step 706 that discloses a

separate content delivery channel being used; paragraphs 0019, 0058-0059 further disclose the details of the claimed method).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to receive a conference data stream and status messages, wherein the status messages are received through a first layer of the CBM network and the conference data stream is received through a second layer of the CBM network, as taught by Dayal et al., in the method of Digate et al., in order to reduce the amount of information exchanged during the discovery/delivery phases of the publish/subscribe collaboration.

However, Digate et al., as modified by Dayal et al., do not specifically disclose that ***the second layer uses a java media framework to convert multimedia data packets received from the CBM network into the conference data stream; and a processor and an interface to process conference data streams.***

In the same field of endeavor, Neely, III et al. disclose the claimed client device, ***further wherein the second layer uses a java media framework to convert multimedia data packets received from the CBM network into the conference data stream*** (Fig. 2 that shows a browser 102 enabled by Java Virtual Machine 103 (JVM) and Java Multimedia Framework 106 (JFM 2.1.1); column 9, lines 35-40 and 56-63 that disclose Java Support Module 106 for rendering various types of media); ***and a processor and an interface to process conference data streams*** (Fig. 2, client computing platforms 76a-76n that include a PC Client processor with a user

interface provided by the Browser 102 that also processes conference data streams, with help from JVM 103 (Java Virtual Machine) and JMF 106 (Java Media Framework 2.1.1) to process any multimedia content).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use for the content layer a java media framework to convert multimedia data packets received from the CBM network into the conference data stream, and provide a processor and an interface to process conference data streams, as taught by Neely, III et al., in the client device of Digate et al., as modified by Dayal et al., in order to provide the conference data including any multimedia content to the client in appropriate format.

Consider **claim 19**, and **as it applies to claim 18 above**, Digate et al., as modified by Dayal et al. and Neely, III et al., further disclose a client device, wherein the interface is configured to present that a user is offline (in Digate et al. reference, column 11, lines 32-37 that disclose the events that can be monitored to determine the presence status of a user (i.e. user is offline)).

Consider **claim 20**, and **as it applies to claim 18 above**, Digate et al., as modified by Dayal et al. and Neely, III et al., further disclose a client device, wherein the interface is configured to present that a user is online and not engaged in a conference (in Digate et al. reference, column 11, lines 32-37 that disclose the events that can be monitored to determine the presence status of a user (i.e. user is online)).

Consider **claim 21**, and **as it applies to claim 18 above**, Digate et al., as modified by Dayal et al. and Neely, III et al., further disclose a client device, wherein the interface is configured to present that a user is online and engaged in a conference (in Digate et al. reference, column 11, lines 37-42 that disclose additional user actions which imply that a user is online and engaged in a conference, such as making a presentation).

Consider **claim 22**, and **as it applies to claim 18 above**, Digate et al., as modified by Dayal et al. and Neely, III et al., further disclose a client device, wherein the user interface is configured to present a contact list and an indication of the status associated with a user identifier in the contact list (in Digate et al. reference, column 6, lines 40-65 that disclose a contact list of users and their status being presented as a list named "product_A_tech" lifeline).

Consider **claim 23**, and **as it applies to claim 22 above**, Digate et al., as modified by Dayal et al. and Neely, III et al., further disclose a client device, **wherein** the processor is configured to invite a user to engage in a conference based on a selection of the user identifier in the contact list (in Digate et al. reference, column 6, lines 65-67 and column 7, lines 1-5 that disclose a contact list user being invited to a conference by a sales person).

Consider **claim 24**, and **as it applies to claim 18 above**, Digate et al., as modified by Dayal et al. and Neely, III et al., further show and disclose a client device, **wherein** the processor is configured to publish a user status to the CBM network (in Digate et al. reference, Fig. 3, "Distribute the lifeline" block 47; column 6, lines 60-65 that disclose a contact list (lifeline) named "product_A_tech" of one or more conference system users being displayed on the CBM network for the benefit of subscribers).

Consider **claim 25**, and **as it applies to claim 24 above**, Digate et al., as modified by Dayal et al. and Neely, III et al., further disclose a client device, wherein the user status indicates that the user is offline (in Digate et al. reference, column 11, lines 32-37 that disclose the events that can be monitored to determine the presence status of a user (i.e. user is offline)).

Consider **claim 26**, and **as it applies to claim 24 above**, Digate et al., as modified by Dayal et al. and Neely, III et al., further disclose a client device, wherein publishing the user status indicates that the user is online and not engaged in a conference (in Digate et al. reference, column 11, lines 32-37 that disclose the events that can be monitored to determine the presence status of a user (i.e. user is online), which may then be presented as a displayed list).

Consider **claim 27**, and **as it applies to claim 24 above**, Digate et al., as modified by Dayal et al. and Neely, III et al., further disclose a client device, wherein

publishing the user status indicates that the user is online and engaged in a conference (in Digate et al. reference, column 11, lines 37-42 that disclose additional user actions which imply that a user is online and engaged in a conference, such as making a presentation).

Consider **claim 28**, Digate et al. show and disclose a computer program product comprising instructions to cause a processor to:

subscribe to a status for one or more conference system users of a content based messaging (CBM) network (Claim 13 that claims computer program code for the disclosed invention; Fig. 3, "Distribute the lifeline" block 47; column 6, lines 45-67 and column 7, lines 1-5 that disclose a contact list (lifeline) named "product_A_tech" of one or more conference system users being formed for providing technical expertise to the members of a sales group; the lifeline being distributed to the members (subscribers to the status of the lifeline members) of the sales group; Fig. 1; column 4, lines 66-67 and column 5, lines 1-11 provide an introductory background to the same invention; Fig. 9, "If (Condition)" column 174 that discloses use of camera, video, phone, etc. for device availability, thereby indicating content based messaging);

receive **a conference data stream and status** messages including the status of the one or more conference system users corresponding to the subscription from the CBM network (column 6, lines 60-65 that disclose **status** (in the form of lifeline) of the one or more conference system users being distributed to the subscribers of the CBM network;

Fig. 8 that shows **subscribers (IM clients) receiving messages from IM Servers 160 and 162 and Real-time messaging server 14**); and present the status of the one or more conference system users (column 6, lines 60-65 which disclose that status (in the form of lifeline) of the one or more conference system users is displayed to the subscribers).

However, Digate et al. do not specifically disclose receiving ***a conference data stream and status*** messages, ***wherein the status messages are received through a first layer of the CBM network and the conference data stream is received through a second layer of the CBM network, further wherein the second layer uses a java media framework to convert multimedia data packets received from the CBM network into the conference data stream.***

In the same field of endeavor, Dayal et al. disclose the claimed computer program product, including receiving ***a conference data stream and status*** messages, ***wherein the status messages are received through a first layer of the CBM network and the conference data stream is received through a second layer of the CBM network*** (claims 17-20; Fig. 5 that shows two separate layers in the CBM network, one for status message delivery 510, and the other for content delivery 520; Fig. 7 that lists the steps for executing the claimed computer program product, specifically, step 706 that discloses a separate content delivery channel in use; paragraphs 0019, 0058-0059 further disclose the details of the claimed computer program product).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to receive a conference data stream and status messages, wherein the status messages are received through a first layer of the CBM network and the conference data stream is received through a second layer of the CBM network, as taught by Dayal et al., in the computer program product of Digate et al., in order to reduce the amount of information exchanged during the discovery/delivery phases of the publish/subscribe collaboration.

However, Digate et al., as modified by Dayal et al., do not specifically disclose that ***the second layer uses a java media framework to convert multimedia data packets received from the CBM network into the conference data stream.***

In the same field of endeavor, Neely, III et al. disclose the claimed computer program product, ***further wherein the second layer uses a java media framework to convert multimedia data packets received from the CBM network into the conference data stream*** (Fig. 2 that shows a browser 102 enabled by Java Virtual Machine 103 (JVM) and Java Multimedia Framework 106 (JFM 2.1.1); column 9, lines 35-40 and 56-63 that disclose Java Support Module 106 for rendering various types of media).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use for the content layer a java media framework to convert multimedia data packets received from the CBM network into the conference data stream, as taught by Neely, III et al., in the computer program product of Digate et

al., as modified by Dayal et al., in order to provide the multimedia content to the client in appropriate format.

Consider **claim 29**, and **as it applies to claim 28 above**, Digate et al., as modified by Dayal et al. and Neely, III et al., further disclose a computer program product wherein the instructions present the status that a user is offline, online and engaged in a conference, or online and not engaged in a conference (column 11, lines 32-42 that disclose the events that can be monitored to determine the presence status of a user (i.e. user is offline, online and not engaged in a conference, or online and engaged in a conference, such as making a presentation).

Consider **claim 30**, and **as it applies to claim 28 above**, Digate et al., as modified by Dayal et al. and Neely, III et al., further disclose a computer program product further comprising instructions to cause a processor to present in a contact list an indication of the status associated with a user identifier (column 6, lines 40-65 that disclose a contact list of users and their status being presented as a list named "product_A_tech" lifeline).

Consider **claim 31**, and **as it applies to claim 30 above**, Digate et al., as modified by Dayal et al. and Neely, III et al., further disclose a computer program product further comprising instructions to cause a processor to invite a user to engage in a conference based on selection of the user identifier in the contact list (column 6,

lines 65-67 and column 7, lines 1-5 that disclose a contact list user being invited to a conference by a sales person).

Consider **claim 32**, and **as it applies to claim 28 above**, Digate et al., as modified by Dayal et al. and Neely, III et al., further show and disclose a computer program product further comprising instructions to cause a processor to publish a user status to the CBM network (Fig. 3, "Distribute the lifeline" block 47; column 6, lines 60-65 that disclose a contact list (lifeline) named "product_A_tech" of one or more conference system users being displayed on the CBM network for the benefit of subscribers).

Consider **claim 33**, and **as it applies to claim 32 above**, Digate et al., as modified by Dayal et al. and Neely, III et al., further disclose a computer program product wherein the user status indicates that the user is offline, online and engaged in a conference, or online and not engaged in a conference (column 11, lines 32-42 that disclose the events that can be monitored to determine the presence status of a user (i.e. user is offline, online and not engaged in a conference, online and engaged in a conference, such as making a presentation)).

Response to Arguments

Applicant's arguments with respect to **claims 1-12 and 14-33** have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any response to this Office Action should be **faxed to (571) 273-8300 or mailed to:**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Art Unit: 2143

Hand-delivered responses should be brought to

Customer Service Window
Randolph Building
401 Dulany Street

Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Kishin G. Belani whose telephone number is (571) 270-1768. The Examiner can normally be reached on Monday-Thursday from 6:30 am to 5:00 pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Nathan Flynn can be reached on (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-0800.

Kishin G. Belani

K.G.B./kgb

December 26, 2007

